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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kevin W. Smith et al.

SERIAL NO.: 10/010,906

GROUP ART UNIT: 3731

FILED: December 6, 2001

EXAMINER:

FOR: Flexible Surgical Clip Applier

ATT'Y DOCKET: SYN-039A

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on Sept 19, 2002
David P. Gordon 9/19/02
David P. Gordon
Reg No. 29,996

SUBMITTAL OF DOCUMENTS PURSUANT TO DUTY OF DISCLOSURE

Pursuant to applicant's duty of disclosure 37 CFR Section 1.56, enclosed is a completed form PTOL-1449 as well as copies of the cited documents which relate to the above-referenced patent application. Since this document submittal is being presented prior to the first examination on the merits, no fee is due herewith.

The listed documents are brought to the Examiner's attention because they are known to the applicant and/or the applicant's attorney and may be considered by the Examiner to be material to his/her examination. This listing should not be construed as representation that a search has been made or that no better art exists. No inference should be made that the documents are in fact material merely because they are referenced herein. Moreover, no representation is made that the brief descriptions of the references herein necessarily describe the most material aspects of the references. Further, by this listing, the applicant is not making any admission regarding the relative dates of the invention and listed disclosures.

Respectfully submitted,

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